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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/248,736	02/11/1999	TERRY MICHAEL BLEIZEFFER	ST998029	9147

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EXAMINER

PHAM, KHANH B

ART UNIT

PAPER NUMBER

2177

DATE MAILED: 04/02/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/248,736

Applicant(s)

BLEIZEFFER ET AL.

Examiner

Khanh B. Pham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 February 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-105 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 64-105 is/are allowed.
- 6) ☒ Claim(s) 1-63 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_                      6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-63 are rejected under 35 U.S.C. 102(e) as being anticipated by Robinson (U.S 5,842,218), hereinafter referred to as "Robinson".

**As per claim 1**, Robinson teaches a method of creating a customize tree in a computer from a original tree comprising:

- "selecting one or more objects on the original tree to be contained in the customized tree in response to user input, wherein the one or more objects are located in disparate places across different branches of the original tree" at Col. 3 lines 34-54 and Figs. 11-16;
- "linking the selected objects from the disparate places to each other in the customized tree in a user-specified manner" at Col. 3 lines 34-54 and Figs. 11-16.

**As per claim 2**, Robinson teaches the method of claim 1, further comprising the steps of :

- “creating a filter for the selected object in response to user input, wherein the filter specifies a selection criteria to select objects to be contained within the selected object on the customized tree” at Col. 3 line 60 to Col. 4 line 8;
- “applying the filter to create the customized tree with the selected object and the objects to be contained within the selected object” at Col. 3 line 60 to Col 4 line 8.

**As per claim 3**, Robinson teaches the method of claim 2, wherein “the step of applying the filter further comprises the step of selecting objects from multiple parent objects” at Col. 3 lines 34-54 and Figs. 11-16.

**As per claim 4**, Robinson teaches the method of claim 3, wherein “the multiple parent objects are contained on multiple platforms” at Col. 5 lines 40-50.

**As per claim 5**, Robinson teaches the method of claim 2, wherein: “if the objects to be selected by the filter change, the customized tree is automatically updated to reflect the changed objects” at Col. 9 lines 39-53.

**As per claim 6**, Robinson teaches the method of claim 1, further comprising the step of “modifying the customized tree” at Col. 12 lines 25-45.

**As per claim 7**, Robinson teaches the method of claim 6, wherein “the step of modifying further comprises the step of adding an object to the customized tree” at Col. 12 lines 25-45.

**As per claim 8**, Robinson teaches the method of claim 6, wherein “the step of modifying further comprises the step of removing an object of the customized tree” at Col. 12 lines 25-45.

**As per claim 9**, Robinson teaches the method of claim 6, wherein “the step of modifying further comprises the step of copying an object into the customized tree” at Col. 12 lines 25-45.

**As per claim 10**, Robinson teaches the method of claim 6, wherein “the step of modifying further comprises the step of copying an object from a first position in the customized tree to a second position in the customized tree” at Col. 12 lines 25-45.

**As per claim 11**, Robinson teaches the method of claim 6, wherein “the step of modifying further comprises the step of removing the customized tree” at Col. 12 lines 35-45.

**As per claim 12**, Robinson teaches the method of claim 6, wherein “the step of modifying further comprises the step of changing an object” at Col. 11 lines 23-49.

**As per claim 13**, Robinson teaches the method of claim 1, further comprising the step of “using the customized tree to simultaneously perform an action on multiple objects contained in the customized tree” at Col. 12 lines 34-46.

**As per claim 14**, Robinson teaches the method of claim 1, further comprising the step of “restricting access to the customized tree” at Col. 11 lines 55-67.

**As per claim 15**, Robinson teaches the method of claim 1, further comprising the step of “enabling customization of labels for objects in the customized tree” at Figs. 11-22.

**As per claim 16**, Robinson teaches the method of claim 15, wherein “each label distinguishes between different objects of a similar type” at Figs. 11-22

**As per claim 17**, Robinson teaches the method of claim 15, wherein “each label is an indicator of a filter” at Col. 10 lines 1-14.

**As per claim 18**, Robinson teaches the method of claim 1, further comprising the step of “providing graphical user interfaces for creating the customized tree and wherein the user input is received from one or more graphical user interfaces” at Col. 6 lines 30-40 and Figs. 11-22.

**As per claim 19**, Robinson teaches the method of claim 1, wherein “the customized tree contains a subset of the objects of the original tree” at Figs. 13-16.

**As per claim 20**, Robinson teaches the method of claim 1, wherein “the objects of the customized tree are organized in a user-specified manner” at Col. 3 lines 35-55.

**As per claim 21**, Robinson teaches the method of claim 1, further comprising the step of “creating multiple customized trees” at Fig. 14.

**Claims 22-63** recite an apparatus and an article of manufacture having similar limitation as in claims 1- 21. Therefore, claims 22-63 are rejected by the same rational.

### ***Allowable Subject Matter***

**3. Claims 64-105 are allowed.**

The following is a statement of reasons for the indication of allowable subject matter: prior art of record does not teach or suggest the combination of claimed elements including: “creating a filter for the selected object in response to user input, wherein the filter comprises user specified filter criteria, a user specified comparator operator, and a user-specified comparison value, wherein the user-specified comparator

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specifies how the user-specified filter criteria is compared with the user-specified comparison value, to determine objects to be contained within the selected object on the customized tree” as recited in the independent claims 64, 78, and 92.

Thus, prior art of record neither renders obvious nor anticipates the combination of claimed elements in light of the specification.

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh B. Pham whose telephone number is (703) 308-7299. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)746-7240.

Khanh B. Pham  
Examiner  
Art Unit 2177

KBP  
March 25, 2003

  
JEAN R. HOMERE  
PRIMARY EXAMINER